

AMENDED IN ASSEMBLY APRIL 23, 2008

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

## ASSEMBLY BILL

**No. 2285**

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**Introduced by Assembly Member La Malfa**

February 21, 2008

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~~An act to amend Section 4584 of the Public Resources Code, relating~~  
*An act to add Section 4122 to the Public Resources Code, relating to forest resources.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 2285, as amended, La Malfa. Forest resources.

*Existing law requires the Department of Forestry and Fire Protection to provide fire protection, fire prevention, pest control, and forest and range protection and enhancement.*

*This bill would require the department to assess fuel conditions in or adjacent to an urban wildland interface community at high risk of wildfire, as defined, and identify the communities of highest priority for fuel reduction, as determined by the department. The bill would require the department, in consultation with the University of California or California State University, to independently assess the economics of fuel reduction activities adjacent to those communities with the goal of determining whether revenue derived from those activities could offset all or a portion of the costs. The department, by July 1, 2010, would be required to report to the Legislature on the results of the above assessments, and include its recommendations to address the highest priority communities and strategies to offset the costs of fuel*

*reduction activities. The bill would also specify the data the department is authorized to rely on in making the above assessments.*

~~(1) The Z' Berg-Nejedly Forest Practice Act of 1973 generally prohibits a person from conducting timber operations unless the person has submitted a timber harvesting plan to the Department of Forestry and Fire Protection and received approval of the plan from the Director of Forestry and Fire Protection.~~

~~Existing law authorizes the State Board of Forestry and Fire Protection, until January 1, 2013, to exempt from certain requirements, if the exemption is consistent with the purposes of the act, the harvesting of trees that eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns, for the purpose of reducing the rate of fire spread, fire duration and intensity, fuel ignitability, or ignition of tree crowns, if specified requirements are met. The Department of Forestry and Fire Protection, after timber operations are complete, is required to conduct an onsite inspection.~~

~~Existing law provides that a willful violation of the act or a regulation of the board is a crime.~~

~~This bill would authorize the forest management activities the board has exempted with regard to eliminating vertical continuity of vegetative fuels and the horizontal continuity of tree crowns to include the removal of 10% of all trees 18 to 24 inches in diameter, with restrictions, from the area covered by the exemption.~~

~~Because a willful violation of the exemption requirements would be a crime, the bill would impose a state-mandated local program.~~

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

~~Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes-no.~~

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 4122 is added to the Public Resources
- 2     Code, to read:
- 3     4122. (a) (1) The department shall assess fuel conditions in
- 4     or adjacent to an urban wildland interface community at high risk
- 5     of wildfire, as defined on pages 752, et seq., 66 Federal Register

1 *(Jan. 4, 2001), as amended, and identify the communities of highest*  
2 *priority for fuel reduction, as determined by the department.*

3 *(2) The department may rely on existing data or maps that it*  
4 *determines are sufficiently reliable.*

5 *(b) (1) The department, in consultation with the University of*  
6 *California or California State University, shall also independently*  
7 *assess the economics of fuel reduction activities adjacent to those*  
8 *communities with the goal of determining whether revenue derived*  
9 *from those activities could offset all or a portion of the costs.*

10 *(2) For purposes of paragraph (1), the department may rely on*  
11 *existing data, including relevant in-state or out-of-state data from*  
12 *the United States Forest Service or data derived from pilot or*  
13 *demonstration projects.*

14 *(c) By July 1, 2010, the department shall report to the*  
15 *Legislature on the results of the assessments in subdivisions (a)*  
16 *and (b), and include its recommendations to address the highest*  
17 *priority communities and strategies to offset the costs of fuel*  
18 *reduction activities.*

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21 **All matter omitted in this version of the bill**  
22 **appears in the bill as amended in the**  
23 **Assembly, March 24, 2008. (JR11)**  
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